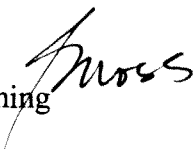


DATE: October 14, 2011

TO: Barbara Ross, Deputy Director  
Department of Planning and Zoning 

FROM: Nathan Randall, Planner  
Department of Planning and Zoning

SUBJECT: Special Use Permit #2011-0059  
Administrative Review for New Use  
Site Use: Massage Establishment  
Applicant: LCM Enterprises, Inc. by Tatjana Misulic  
Location: 4527 Duke Street  
Zone: CG / Commercial General

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### **Request**

Special Use Permit #2011-0059 is a request to operate a new massage establishment, with aesthetician services, in a tenant space formerly occupied by a dentist office in the Foxchase Shopping Center. The applicant seeks to offer massage services and facials to as many as 13 customers per hour. Up to 13 massage therapists and four aestheticians, plus administrative/support staff, will be practicing on-site at any one time. The hours of operation are proposed to be 8:00am to 10:00pm Monday through Saturday, and 9:00am to 9:00pm on Sunday. The business plans to operate under the name Massage Heights.

### **Parking**

Section 8-200(A)(17) of the Zoning Ordinance requires a massage establishment to provide one off-street parking space for each 400 square feet of floor area. The 2,500 square-foot massage establishment therefore must provide seven off-street parking spaces, a figure that does not conflict with the parking reduction for Foxchase Shopping Center approved as a part of DSUP2004-0025. The applicant meets this requirement by providing parking spaces in the shared surface parking lot on the property.

### **Community Outreach**

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. Staff has not received any comments from residents or adjacent businesses that would require staff to docket the Special Use Permit for public hearing.

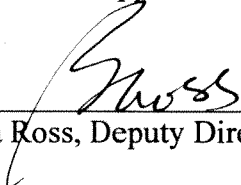
### **Staff Action**

Staff does not object to the applicant's proposal to operate a massage establishment. The proposed new, stand-alone massage establishment is eligible for administrative approval pursuant to Section 4-402.1(B) of the Zoning Ordinance. Standard conditions of approval have been included here to address such matters as trash containers and the prevention of litter from accumulating on the property. Staff hereby approves the Special Use Permit request.

**ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:**

Date: October 18, 2011

Action: Approved

  
\_\_\_\_\_  
Barbara Ross, Deputy Director

Attachments: 1) Special Use Permit Conditions  
2) City Department Comments  
3) Statement of Consent

**CONDITIONS OF SPECIAL USE PERMIT #2011-0059**

The applicant is responsible for ensuring that the following conditions are adhered to at all times. Violation of any of the conditions may result in fines and/or referral to public hearing by the Planning Commission and City Council.

1. The Special Use Permit shall be granted to the applicant only or to any business or entity in which the applicant has a controlling interest. (P&Z)
2. No more than 13 massage therapists shall operate at this establishment at any one time. (P&Z)
3. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in a closed container which does not allow invasion by animals. No trash and debris shall be allowed to accumulate on-site outside of those containers. (P&Z)
4. The applicant shall control odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental Services. (P&Z)
5. The use must comply with the city's noise ordinance. All loudspeakers shall be prohibited from the exterior of the building and no amplified sounds shall be audible at the property line. (P&Z) (T&ES)
6. The applicant shall provide information about alternative forms of transportation to access the location of the use, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. (P&Z)
7. The applicant shall require its employees who drive to work to use off-street parking. (T&ES)
8. The applicant shall encourage its employees and customers to use mass transit or to carpool when traveling to and from work, by posting information regarding DASH and METRO routes, the location where fare passes for transit are sold, and advertising of carpooling opportunities. (T&ES)
9. Supply deliveries, loading and unloading activities shall not occur between the hours of 11:00 pm and 7:00 am. (T&ES)
10. The applicant shall contact the Community Relations Unit of the Alexandria Police Department 703-838-4520 regarding a security survey for the business and a robbery awareness program for all employees prior to operation. (Police)
11. The applicant shall conduct employee training sessions on an ongoing basis, including as

part of any employee orientation process, to discuss all Special Use Permit provisions and requirements. (P&Z)

12. The Director of Planning and Zoning shall review the Special Use Permit after it has been operational for one year, and shall docket the matter for consideration by the Planning Commission and City Council if: (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the director has received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions, or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)

CITY DEPARTMENT COMMENTS

Legend: C - code requirement    R - recommendation    S - suggestion    F - finding

Transportation & Environmental Services:

R-1    Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)

C-1    The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). (T&ES)

In order to comply with this code requirement, the applicant shall provide a completed Recycling Implementation Plan (RIP) Form within 60 days of City Council approval. Contact the City's Recycling Program Coordinator at (703) 519-3486, or via e-mail at [commercialrecycling@alexandriava.gov](mailto:commercialrecycling@alexandriava.gov), for information about completing this form.

C-2    The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES)

C-3    **From Zoning Ordinance; 11-513 (C)**  
(C) *General standards for all administrative uses:*

(2)    The applicant shall provide information about alternative forms of transportation to access the location of the use, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. (T&ES)

(3)    The applicant shall encourage its employees and customers to use mass transit or to carpool when traveling to and from work, by posting information regarding DASH and METRO routes, the location where fare passes for transit are sold, and advertising of carpooling opportunities. (T&ES)

(5)    The applicant shall require its employees who drive to work to use off-street parking. (T&ES)

(9)    Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be monitored and picked up at least twice during the day and at the close of the business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is in operation. (T&ES)

- (10) The use must comply with the city's noise ordinance. No outdoor speakers shall be permitted. No amplified sound shall be audible at the property line. (T&ES)

Code Enforcement:

- C-1 Alterations to the existing structure and/or installation of equipment requires construction/alteration permits. Six sets of architectural quality drawings shall accompany the permit applications that fully detail the construction/alteration as well as layouts and schematics of the mechanical, electrical, and plumbing systems.

Health Department:

- F-1 No Comment

Parks and Recreation:

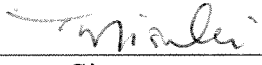
- F-1 No Comment

Police Department:

- R-1 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business.
- R-2 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a robbery readiness program for all employees.

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2011-0059. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the massage establishment at 4527 Duke Street.

  
\_\_\_\_\_  
Applicant - Signature

11-7-2011  
\_\_\_\_\_  
Date

TATIANA MISULIC  
\_\_\_\_\_  
Applicant – Printed

\_\_\_\_\_  
Date